

ORIGINAL

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06/17/92

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4375

AN ORDINANCE reclassifying property located at 14230 N.E. 8th Street on application of George and Carmen Caporale.

WHEREAS, George and Carmen Caporale applied to the City to rezone a 0.86 acre parcel of property located at 14230 N.E. 8th Street from R-10 to R-20; and

WHEREAS, on April 30, 1992 a public hearing was held on the rezone application before the Hearing Examiner Pro Tempore for the City of Bellevue pursuant to notice as required by law; and

WHEREAS, on May 13, 1992 the Hearing Examiner Pro Tempore recommended approval, with conditions, of the rezone application and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, the Hearing Examiner Pro Tempore issued an Order of Clarification on May 20, 1992 and issued a Second Order of Clarification on June 4, 1992 pursuant to request of the Planning Department; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner Pro Tempore as clarified and has determined that the public use and interest will be served by approving the reclassification of said property from R-10 to R-20; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the findings of fact and conclusions based thereon, made and entered by the Hearing Examiner Pro Tempore in support of his recommendation to the City Council approving the reclassification request with regard to the hereinafter described property located at 14230 N.E. 8th Street as set forth in "Findings, Conclusions and Recommendation of the Hearing Examiner for the City of Bellevue in the Matter of the Application of the George and Carmen Caporale for a Reclassification, File No. REZ 92-264" and as clarified by the Hearing Examiner Pro Tempore's Second Order of Clarification of June 4, 1992.

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Section 2. The following described property located at 14230 N.E. 8th Street is hereby reclassified from R-10 to R-20 subject to the conditions that follow:

The South 290.00 feet of the West 150.00 feet of the East half of the Southeast quarter of the Southwest quarter of the Southeast quarter of Section 27, Township 25 North, Range 5 East, W.M., in King County, Washington.

This reclassification is subject to the following conditions:

If the property is developed for ten housing units or greater, at least ten (10) percent of the units buildable under the original maximum density must be affordable units and at least twenty (20) percent of the units buildable as a result of the increase in density from the original maximum density to the total number of approved units must be affordable units. One bonus market rate unit is permitted for each of the affordable units provided to meet the minimum ten (10) percent requirement of the original maximum density, up to fifteen (15) percent above the original maximum density. "Affordable units" shall be defined as set forth in LUC 20.50.010.

For the purpose of calculating the number of required affordable units, the original maximum density possible under the R-10 zoning is eight (8) units. The units shall remain affordable units for the lifetime of the R-20 zoning classification and shall be dispersed across the range of unit sizes and throughout the property.

Prior to issuance of a building permit, the owner shall sign any necessary agreements with the City to implement these requirements. The City may agree, at its sole discretion, to subordinate any affordable housing regulatory agreement for the purpose of allowing the owner to obtain financing for development of the property, consistent with any applicable provisions of the Land Use Code. (Housing Element Policy 21.G.125.C.3, Land Use Code 20.20.128)

This reclassification is further conditioned on full compliance by the owners of said property and their heirs, assigns, grantees or successors in interest, of the terms and conditions of that certain Concomitant Agreement executed by George and Carmen Caporale, owners of said property, which has been given Clerk's Receiving No. 17934, and which has been adopted by reference into this ordinance as if it were fully set forth herein.


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Section 3. This Ordinance shall take effect and be in force five days after its passage and legal publication.

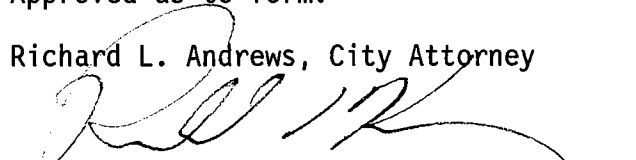
PASSED by the City Council this 22nd day of June, 1992, and signed in authentication of its passage this 22nd day of June, 1992.

(SEAL)

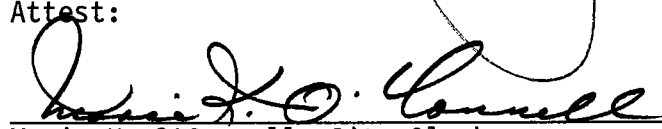

Cary Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard Kirkby, Assistant City Attorney

Attest:


Marie K. O'Connell, City Clerk

Published June 25, 1992